

Remarks/Arguments

Claims 1-28 were in the application. Claims 1, 5-8, 10-15, and 18-23 have been amended herein. Claims 2 and 4 have been canceled. Upon entry of this amendment, claims 1, 3, and 5-28 will be pending. Applicant believes no additional fee is due.

Applicant notes that a **telephonic interview** took place on March 11, 2004 between the Examiner and Applicant's undersigned attorney, and Applicant acknowledges receipt of the Interview Summary. Applicant greatly appreciates the Examiner's kindness in talking with Applicant's attorney and discussing the application. Applicant agrees with the Examiner's statement of the substance of the interview with respect to the points addressed in the Examiner's statement, but would also like to add that the following two points were also discussed. Firstly, Applicant's attorney offered to remove the word "atomic" from the claims and replace it with its definition from the specification in order to clarify the difference between the way Applicant uses the term and the way the term is used in the Tzelnic and Ledain patents. Secondly, Applicant's attorney expressed the view near the end of the interview that only one of, the limitation regarding the blocking point handling, and the limitation regarding the look-up operation performing the look-up or notifying the application, should be included in any one of the independent claims since some of the claims are directed to an operating system and others are directed to an application.

In the most recent office action, the Examiner has objected to informalities in the specification regarding the reference to other applications. The Applicant has corrected this informality as requested by the Examiner. In addition, the Applicant has amended paragraph [0012] of the specification to correct a typographical error discovered by Applicant's attorney. Particularly, the words "and measurement system" were inadvertently copied into the specification when it was being drafted and have now been removed. This error is apparent since there is no "measurement system" discussed anywhere else in the application.

In the Office Action, the Examiner rejected all claims under 35 U.S.C. § 103(a) as obvious over U.S. Patent 5,832,515, Ledain et al. in view of U.S. Patent 5,948,062, Tzelnic et al. Applicant submits that his invention is not obvious in view of Ledain and Tzelnic, because the combination of Ledain and Tzelnic does not disclose, either directly, or by implication, all of the limitations of any of Applicant's claims as is required in order for a claim to be obvious over a

combination of references. Applicant believes that a better understanding of his invention can be garnered by considering the definition of the word "atomic" and by considering the difference between a "file operation" and a "file look-up operation."

The term "atomic" as used in Applicant's disclosure refers to the property of performing an operation without suspending task execution by the operating system. See the specification, for example, the end of paragraph [0006]. The word "atomic" as used in the file system and storage art refers to a read or write file operations that can be accomplished by operating on a single block or contiguous blocks in the filing system without multiple seek operations for multiple blocks that contain parts of a file. See Ledain, col. 4, lines 15-20 and lines 55-64 and Tzelnic, col. 2, line 61 through col. 3, line 7. Applicant has amended all of his independent claims to make explicit, what was implicit, that a determination is made regarding whether look-up operation can occur "without suspending task execution" which is supported in the specification as discussed above. Additionally, it should be noted that the reads and writes discussed in Ledain and Tzelnic are actual file operations, whereas Applicant's invention pertains to a "file look-up operation" as discussed throughout Applicant's disclosure, including in the title. Thus, the term "file look-up operation" as been introduced into all of Applicant's independent claims.

Applicant would further like to point out that Ledain and Tzelnic actually teach away from Applicant's invention, because the file operations they perform cause an interruption in task execution, being that they are performed relative to physical storage devices. In the case of Ledain both the log disk and the main disk are accessed over system bus 14 of FIG. 1. In Tzelnic, reads and writes are performed relative to a file server on a network and need to be scheduled. See the discussion of task preemption at col. 9, lines 25-56. Thus in addition to the combination of Ledain and Tzelnic not anticipating Applicant's invention, there would be no motivation to look to art such as Ledain and Tzelnic to alleviate problems caused by suspending task execution in an operating system.

Additional amendments to the claims have been made as follows. The recitation from claim 2 regarding "performing the file operation" has been incorporated, in pertinent part, in claims 1, 8, and 13, which are directed to an operating system, pursuant to the Examiner's suggestion in the interview. With respect to claim 15, the language has been rephrased as


Serial No. 09/934,659

"performance of a file operation." Language regarding providing for the application to "redirect" the request has also been added to these claims, as well as claim 23, which is directed to a task execution system in which an operating system and an application are running. A recitation regarding blocking point handling has been added to claims 5, 10, and 14, which are directed to an application, and a recitation regarding redirecting "appropriately" has been added to claim 23 also pursuant to the Examiner's suggestion in the interview. Language regarding "notifying" an application when the file operation is performed atomically has been removed from the claims to make the claims more commercially relevant, as this notification can be implicit when the file operation is performed by the operating system. Applicant believes this limitation is not needed to render the claims unobvious in view of Ledain and Tzelnic, given the other limitations discussed above. Additional amendments have been made to cancel or remove redundancies in dependent claims, to correct typographical errors, and to make claim language more compact and consistent.

Applicant believes he has responded to all of the concerns raised by the Examiner. Reconsideration of this application as amended is hereby requested.

Respectfully submitted,

Date: 24 March 04

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